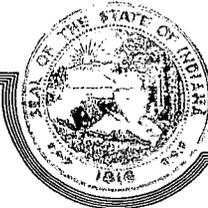


STATE OF INDIANA

DIVISION OF STATE COURT ADMINISTRATION



SUPREME COURT

30 SOUTH MERIDIAN STREET SUITE 500
INDIANAPOLIS, IN 46204-3568
(317) 232-2542
FAX (317) 233-6586
www.IN.gov/judiciary

LILIA G. JUDSON, EXECUTIVE DIRECTOR
DAVID J. REMONDINI, CHIEF DEPUTY EXECUTIVE DIRECTOR

April 19, 2012

Teresa J. Bohnert
Internal Revenue Service
7409 Eagle Crest Boulevard, Suite D
Evansville, Indiana 4771-9136

Dear Ms. Bohnert:

Your request, on behalf of the Internal Revenue Service, to obtain bulk distribution of non-confidential court records from the Floyd County Circuit and Superior courts has been approved by the Division of State Court Administration pursuant to Indiana Administrative Rule 9(F), subject to the terms of this letter and the executed User Agreement for Bulk Distribution of Data or Compiled Information, Form TCM-AR9(F)-1.

As explained in the User Agreement, the execution of the agreement and approval by the Division do not create any mandatory obligation on the part of any court or clerk to provide bulk distribution of court records or compiled information. Except as explained in the following two paragraphs, it is up to each court to determine whether or not to provide bulk distribution of its records.

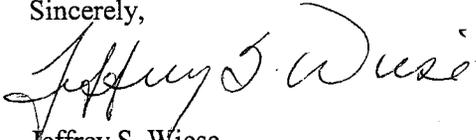
Indiana Administrative Rule 9(F)(2) places authority in the Indiana Supreme Court with respect to records from multiple courts such as those maintained in the Odyssey data repository. By Order dated September 13, 2011, *In the Matter of Bulk Distribution of and Remote Access to Court Records in Electronic Form*, Case No. 94S00-1109-MS-552, the Indiana Supreme Court authorizes bulk distribution of Odyssey records that are not excluded from public access by Administrative Rule 9(G) or (H), and authorizes the Division to review written requests for bulk distribution of Odyssey records and, if appropriate, approve such requests.

You are approved to receive bulk distribution of Odyssey records and the Division will provide bulk distribution of such records to you, subject to the following additional conditions: (1) Your approval is subject to the executed User Agreement for the Use of Bulk Data from Indiana Odyssey Case Management System, and (2) You are prohibited from providing bulk distribution of Odyssey records to any third party.

An executed copy of your user agreement, Form TCM-AR9(F)-1, is enclosed. The agreement will expire on January 31, 2013. Also enclosed is an executed copy of your User Agreement for the Use of Bulk Data from Indiana Odyssey Case Management System.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Jeffrey S. Wiese". The signature is written in a cursive style with a large, prominent "J" and "W".

Jeffrey S. Wiese
Staff Attorney
Indiana Supreme Court
Division of State Court Administration

MAR 02 2012 10:40 IRS 812 474 4820 P.002

Request for Bulk Data/Compiled Information

REQUEST FOR RELEASE OF BULK DATA/COMPILED INFORMATION (NOT EXCLUDED FROM PUBLIC ACCESS)

To the Executive Director of State Court Administration:

Requestor submits this request under Administrative Rule 9(F)(3) for release of bulk data/compiled information not excluded from public access by Administrative Rule 9(G) or (H):

I. Identity of Requestor: Teresa J. Bohnert, BSA Revenue Agent ID #1000815507

Address: 7409 Eagle Crest Boulevard, Suite D, Evansville, IN 47715-9136
Telephone: 812-474-4825
E-Mail: teresa.bohnert@irs.gov

II. Identification of Bulk Data/Compiled Information sought: A list of all cause numbers, names of defendants, and the total dollar amount of bail/bond paid on the bonds during calendar year ending 12/2011 for the Clerk of Floyd County, Indiana Clerk of the Circuit and Superior Courts.

III. Identification of Court(s) Exercising Jurisdiction Over the Records:

Floyd County Indiana Clerk of the Circuit and Superior Courts

IV. Purpose for Request: What is the purpose of the request and how is release consistent with the purposes of Administrative Rule 9? Treasury Regulation 1.60501-2, requires that the Clerk of the state courts file Form 8300-Report of Cash Payments Over \$10,000 Received in a Trade or Business-when over \$10,000 of cash, or a combination of cash, cashier's checks, money orders, traveler's checks, bank drafts (in amounts equal to or less than \$10,000 but when aggregated, total over \$10,000) for the following specific criminal offenses: involving controlled substances, racketeering, or money laundering. The list is being requested to determine 1.if there was any bail bond received (along with associated fees paid in cash to obtain the bond) that totaled over \$10,000; and 2. If a Form 8300 was required to be filed.

V. Attach a copy of each permission from a Court to obtain bulk distribution of Data or Compiled Information that has already been issued. Phone call with Christie at the Floyd County Clerks Office on 4/2/12 at 1:10 p.m.

VI. Attach a copy of each Agreement Requestor has entered into with each County or Court listed in Section III to provide public access services or to obtain bulk distribution of Data or Compiled Information.

VII. Identify the frequency with which bulk Data and Compiled Information is being requested to be transferred to Requestor by each Court listed in Section III. Once

VIII. Describe the resources available to prepare the information.

IX. Describe how fulfilling the request is an appropriate use of public resources. See IV above

X. Requestor is (is not) willing to pay an amount determined to be the fair market value of the information. If not, why? Unless the IRS summons' records, no payment is required to third parties.

XI. Does this Request include a request for permission to transfer the bulk Data and Compiled Information to a third party? No

XII. If the answer to the question in Section XI is no, there is no need to provide the following information but if the answer is yes, please provide the following:

- A. the name of the third party or parties;
- B. the amount that will be charged to the third party, based solely upon time and materials required to deliver the bulk data;
- C. the frequency with which charges will be incurred; and,
- D. the frequency of the transfer of data and information to the third party.
- E. Attach a copy of the Agreement entered into or intended to be entered into with each third party.

By signing this request, I represent that I am authorized to do so on behalf of Requestor.

Teresa J. Bohner
Signature

Teresa J. Bohner
Printed Name

BSA Revenue Agent
Title

4/2/12
Date



Indiana Supreme Court Division of State Court Administration

USER AGREEMENT FOR THE USE OF BULK DATA FROM INDIANA ODYSSEY CASE MANAGEMENT SYSTEM

This Agreement is made and entered into by and between Teresa J. Bohnerk and the Division of State Court Administration (hereafter referred to as "Division"):

RECITALS

WHEREAS, the Division has approved your Bulk Data request pursuant to Administrative Rule 9(F); and

WHEREAS, the Division has the software license and the rights and ownership to the Odyssey case management system for Indiana courts and clerks; and

WHEREAS, the Indiana Supreme Court has authorized the Division to release Odyssey records in bulk in an Order dated September 13, 2011, Case No. 94S00-1109-MS-552; and

WHEREAS, Teresa J. Bohnerk has entered into the User Agreement for Bulk Distribution of Data with the Division for the purpose of establishing roles and responsibilities associated with the dissemination and use of Indiana court information pursuant to the provision of Administrative Rule 9 of the Indiana Rules of Court ("Rule 9").

NOW, IN CONSIDERATION OF THE forgoing representations and covenant hereinafter set forth, the parties agree as follows:

1. **Authority.** The parties agree that this Agreement is specifically undertaken pursuant to the authority under Indiana Law to enter into binding Agreements.
2. **Service and Fees.**
 - A. The Division will provide Teresa J. Bohnerk the initial data extract pursuant to the Order.
 - B. The Division will provide a monthly data extract thereafter on or before the tenth of each month.
 - C. The Division will provide an Invoice for each extract.
 - D. Upon payment of the invoice, the extracted data will be made available via an SFTP account accessing client specific folders at SFTP.IN.Gov.
 - E. All payments will be made by check and made payable to Division of State Court Administration with a notation indicating the invoice number and that payment is for Odyssey bulk records.
3. **Refreshing data.** Because the status of a case may change from time to time, all purchasers of bulk data must refresh all records with each new extract. This will ensure that cases that have been sealed or restricted since the last download are accurately reflected in the database.
4. **Disclaimer.** Information provided is not to be considered or used as an official court record and may contain errors or omissions. Accuracy of the information is not warranted. Official records of court proceedings may only be obtained directly from the clerk of the

court maintaining a particular record. If the record contains financial data, it may include interest that has accrued or other charges that have become due since the last financial transaction. The Clerk's office can provide current financial information.

- 5. **Compliance with Law.** Any party whose Bulk Data Agreement has been approved hereby agrees to comply with all federal and state laws that may be applicable to the use, sale, or transmission of the bulk data.
- 6. **Incorporation by reference.** All terms and conditions of the User Agreement for Bulk Distribution of Data or Compiled Information Not Excluded from Public Access entered into with the Division of State Court Administration are incorporated into this Agreement. _____ agrees to use and disseminate the Odyssey data provided under this agreement in the manner permitted by said User Agreement for Bulk Distribution of Data or Compiled Information Not Excluded from Public Access.
- 7. **Effective Date and Commencement of Terms.** This Agreement shall be effective and the terms set forth shall be deemed enforceable upon the signature and approval of all parties.

By: 
 Lilia G. Judson
 Executive Director
 Division of State Court Administration

Date: 04/17/12

By: 
 ID 1000815507
 Printed Name: Teresa J. Bobbert

Date: 04/13/2012

Printed Title: BSA Internal Revenue Agent

Request for Bulk Data/Compiled Information

REQUEST FOR RELEASE OF BULK DATA/COMPILED INFORMATION (NOT EXCLUDED FROM PUBLIC ACCESS)

To the Executive Director of State Court Administration:

Requestor submits this request under Administrative Rule 9(F)(3) for release of bulk data/compiled information not excluded from public access by Administrative Rule 9(G) or (H):

I. Identity of Requestor: Teresa J. Bohnert, BSA Revenue Agent ID #1000815507

Address: 7409 Eagle Crest Boulevard, Suite D, Evansville, IN 47715-9136
Telephone: 812-474-4825
E-Mail: teresa.bohnert@irs.gov

II. Identification of Bulk Data/Compiled Information sought: A list of all cause numbers, names of defendants, and the total dollar amount of bail/bond paid on the bonds during calendar year ending 12/2011 for the Clerk of Floyd County, Indiana Clerk of the Circuit and Superior Courts.

III. Identification of Court(s) Exercising Jurisdiction Over the Records:

Floyd County Indiana Clerk of the Circuit and Superior Courts

IV. Purpose for Request: What is the purpose of the request and how is release consistent with the purposes of Administrative Rule 9? Treasury Regulation 1.6050I-2, requires that the Clerk of the state courts file Form 8300-Report of Cash Payments Over \$10,000 Received in a Trade or Business-when over \$10,000 of cash, or a combination of cash, cashier's checks, money orders, traveler's checks, bank drafts (in amounts equal to or less than \$10,000 but when aggregated, total over \$10,000) for the following specific criminal offenses: involving controlled substances, racketeering, or money laundering. The list is being requested to determine 1. if there was any bail bond received (along with associated fees paid in cash to obtain the bond) that totaled over \$10,000; and 2. If a Form 8300 was required to be filed.

V. Attach a copy of each permission from a Court to obtain bulk distribution of Data or Compiled Information that has already been issued. Phone call with Christie at the Floyd County Clerks Office on 4/2/12 at 1:10 p.m.

VI. Attach a copy of each Agreement Requestor has entered into with each County or Court listed in Section III to provide public access services or to obtain bulk distribution of Data or Compiled Information.

VII. Identify the frequency with which bulk Data and Compiled Information is being requested to be transferred to Requestor by each Court listed in Section III. Once

VIII. Describe the resources available to prepare the information.

IX. Describe how fulfilling the request is an appropriate use of public resources. See IV above

X. Requestor is (is not) willing to pay an amount determined to be the fair market value of the information. If not, why? Unless the IRS summons' records, no payment is required to third parties.

XI. Does this Request include a request for permission to transfer the bulk Data and Compiled Information to a third party? No

XII. If the answer to the question in Section XI is no, there is no need to provide the following information but if the answer is yes, please provide the following:

A. the name of the third party or parties;

B. the amount that will be charged to the third party, based solely upon time and materials required to deliver the bulk data;

C. the frequency with which charges will be incurred; and,

D. the frequency of the transfer of data and information to the third party.

E. Attach a copy of the Agreement entered into or intended to be entered into with each third party.

By signing this request, I represent that I am authorized to do so on behalf of Requestor.

Teresa J. Bohner
Signature

Teresa J. Bohner
Printed Name

BSA Revenue Agent
Title

4/2/12
Date